

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE GPC BIOTECH AG : Civil Action No.: 1:07-cv-06728 (DC)
SECURITIES LITIGATION :
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**MOTION FOR LEAVE TO FILE CONSOLIDATED
AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that pursuant to the Court's order dated March 12, 2009, and upon the accompanying Memorandum of Law and Declaration of Mark S. Goldman, Esq., Lead Plaintiff Axxion S.A. Luxemburg ("Axxion"), and plaintiff Agamemnon Chua ("Chua") (collectively "Plaintiffs"), by and through their attorneys, will move this Court before the Honorable Denny Chin, at the United States Courthouse, United States District Court for the Southern District of New York, 500 Pearl Street, New York 10007-1312, for an Order, pursuant to Fed. R. Civ. P. 15(a), for leave to file a Consolidated Amended Class Action Complaint for the reasons set forth in the accompanying Memorandum of Law. Plaintiffs respectfully request that this Motion be granted in its entirety.

The proposed Consolidated Amended Class Action Complaint amendment is attached as Exhibit 1.

Dated: April 1, 2009
New York, New York

LABATON SUCHAROW LLP

By: /s/ Joel H. Bernstein
Joel H. Bernstein (JB-0763)
Mark S. Goldman (admitted *pro hac vice*)
Jonathan Gardner (JG-8512)
140 Broadway
New York, New York 10005
Telephone: (212) 907-0700
Facsimile: (212) 818-0477

Lead Counsel for Lead Plaintiff and the Class

**ABBEY SPANIER RODD
& ABRAMS, LLP**

Nancy Kaboolian, Esq. (NK-6346)
Richard B. Margolies, Esq. (RM-9311)
212 East 39th Street
New York, New York 10016
Telephone: (212) 889-3700
Facsimile: (212) 684-5191

*Counsel for Plaintiff Agamemnon Chua and the
Class*